

REMARKS

Claims 1-10 and 20 were in active prosecution in the application, as Claims 11-19 have been withdrawn from consideration.

Applicants have amended Claims 1, 2, 4 and 7-10 to define the invention with the specificity required by statute.

Applicants have amended Claim 1 to replace the transitional phrase, "comprising" with "consisting essentially of", and have incorporated the recitations thereof into Claims 2 and 4, which are now independent.

Applicants have also added new Claims 21-24 to capture additional aspects of the invention to which they are entitled.

Accordingly, upon entry hereof, Claims 1-10 and 20-24 will be pending, with Claims 1, 2, 4 and 20 being independent.

Applicants acknowledge with thanks the indication that Claim 20 has been allowed (Action, page 3).

Applicants also acknowledge the indication that Claims 2-6 are objected to but would be allowable if rewritten as suggested (Action, page 3). Applicants' claim amendments are believed to place the application in condition for allowance.

Applicants now respond to the substantive issues in the Action (pages 2-3).

Section 102(e) Rejection

Claims 1, 9 and 10 stand rejected for the first time under 35 U.S.C. § 102(e) as allegedly being anticipated by Brault et al, for the reasons set forth at page 2, of the Action.

Applicants traverse the Section 102 rejection.

Initially, Applicants note that this appears to be the first time that a Section 102 rejection has been raised against these claims. As such, Applicants submit that it is improper to place the application under final rejection.

Nevertheless, Applicants have amended Claim 1 to delete the transitional phrase, "comprising", and insert in its stead the transitional phrase, "consisting essentially of".

Applicants submit that the amendment overcomes the Section 102 rejection, and as such it should no longer be maintained.

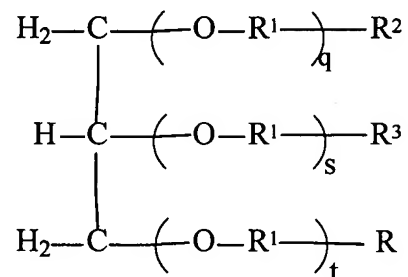
Section 103(a) Rejection

Claims 1 and 7-10 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brault et al, for the reasons set forth at pages 2-3, of the Action.

Applicants traverse the Section 103 rejection.

Applicants provide for the Examiner to a brief summary of the present invention, as defined by Claims 1, 2 and 4. That is, the invention is defined by Claim 1 to be directed to a free-radical curable composition which is washable and self-emulsifiable upon mixing with water. The composition includes

(a) a curable glycerol composition having the formula:



where R¹ is a C₁ to C₅ alkylene; R² and R³ are independently selected from hydroxyl, (meth)acrylate and combinations thereof; q, s and t are independently from about 0 to about 35; provided that at least one R² is (meth)acrylate; at least one q, s or t, is not zero and that at least one of R¹ is ethyl or propyl; and

(b) a free radical initiator to initiate cure of the composition.

By Claim 2, Applicants have defined the invention to require that the free radical initiator include a heat-curing initiator to produce free radicals by thermal decomposition to cure the sealant.

And by Claim 4, Applicants have defined the invention to require that the free radical initiator includes an anaerobic-curing initiator to produce free radicals upon the exclusion of oxygen to cure the sealant.

In contrast, Brault is directed to an electrographic recording element suitable for forming a wallcovering. The electrographic recording element includes, in order: a backside conductive layer; a base; a filled layer; a frontside conductive layer; and a dielectric layer.

The frontside conductive layer includes, in polymerized form, 10 to 90 parts by weight of the one or more ethylenically unsaturated ammonium precursors and 10 to 90 parts by weight of the other polymerizable precursors, the parts by weight based on the total weight of the one or more ethylenically unsaturated ammonium precursors and the other polymerizable precursors presented in the frontside conductive layer. The one or more ethylenically unsaturated ammonium precursors and the other polymerizable precursors together includes at least 50 percent by weight of the total solids present in the frontside conductive layer. The filled layer includes one or more binders and pigments, the ratio of total binder to total pigment being about 2.1 to 3.1. The element has

a wet shrinkage of less than about 2% in the machine direction and less than about 2% in the cross-machine direction.

Again, Applicants fail to see how Brault is analogous art to that which is defined by the present invention. Brault's electrographic recording elements suitable for forming wallcoverings do not lead those persons of ordinary skill in the art to washable impregnation sealants. There is simply no motivation to leap from Brault's field of endeavor to that which Applicants' have invented.

Choosing a document for citation against the pending claims cannot form the basis of a *prima facie* case of obviousness it is from within a field of art non-analogous to that which Applicants have invented.

Applicants note that the Examiner's invitation to read Brault, Example 7 refers to radiation curable compositions, which are conductive. Applicants' invention as defined by Claim 1 requires neither radiation cure, nor conductivity. In addition, as noted above, Applicants' invention does not relate to electromagnetic recording elements.

Accordingly, in view of these amendments and remarks, Applicants respectfully submit that all objections and rejections have been addressed, and they should no longer be

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Amendment After Final Rejection dated May 21, 2004
Reply to Office Action of April 14, 2004

maintained. Applicants further submit that the application is in condition for allowance, and respectfully request such an indication in the next written communication.

This paper represents an earnest attempt at advancing prosecution on the merits, and thus respectfully submits that entry thereof is proper.

To the extent that the Examiner does not believe that the present paper places the application in condition for allowance, he is respectfully requested to contact Applicants' undersigned attorney by telephone at (860) 571-5001 or by facsimile at (860) 571-5028. All correspondence should be continue to be directed to the address given below.

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Applicants' undersigned attorney may be reached by telephone at (860) 571-5001, by facsimile at (860) 571-5028, or by email at steve.bauman@loctite.com. All correspondence should continue to be directed to the address given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'S. Bauman', written over a horizontal line.

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